

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUL 02 2008

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSE GUADALUPE RAMIREZ-  
FRANCO,

Defendant - Appellant.

No. 06-50227

D.C. No. CR-03-00466-R-1

MEMORANDUM \*

Appeal from the United States District Court  
for the Central District of California  
Manuel L. Real, District Judge, Presiding

Submitted June 18, 2008 \*\*

Before: LEAVY, HAWKINS, and W. FLETCHER, Circuit Judges.

Jose Guadalupe Ramirez-Franco appeals from the district court's decision,  
following a limited remand pursuant to *United States v. Ameline*, 409 F.3d 1073,

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\* This disposition is not appropriate for publication and is not precedent  
except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without  
oral argument. See Fed. R. App. P. 34(a)(2).

1084-85 (9th Cir. 2005) (en banc), concluding that it would not have imposed a materially different sentence had it know the Sentencing Guidelines were advisory. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Ramirez-Franco contends that the district court erred by failing to articulate any reason for his sentence and that his sentence is unreasonable. We conclude that the district court understood "the full scope of [its] discretion in a post-*Booker* world," *see United States v. Combs*, 470 F.3d 1294, 1297 (9th Cir. 2006), and that Ramirez-Franco has not raised any issues that are reviewable, *see United States v. Thornton*, 511 F.3d 1221, 1226 (9th Cir. 2008).

**AFFIRMED.**